

REMARKS

The comments of the applicant below are each preceded by related comments of the examiner (in small, bold type).

2. Claims 19-31, 38j44 are rejected under 35 U.S.C. 102(b) as being anticipated by LEVIN et al. (US Patent No: 6,154,201).

As for independent claim 19, LEVIN teaches of a system (Fig. 1, item 10) for accepting user input comprising: a first control (Fig. 1, item 18) configured to select a media source (Fig. 2, item 46, column 7, lines 32-35) in response to an actuation of the first control (Fig. 1, item 18) by a user; a second control (Fig. 1, item 18), wherein the second control (Fig. 1, item 18) has two degrees of freedom (push and rotate as explained in column 8, lines 5-10) in actuation configured to choose a mode (Fig. 2, item 46, column 8, lines 5-10) from a set of modes for the selected media source (Fig. 2, item 46, column 7, lines 32-35) in response to an actuation of the first degree of freedom (push to select icon as describe in column 8, lines 5-10) of the second control (Fig. 1, item 18) by the user, wherein actuation of the second degree of freedom (rotate to select desired value as described in column 8, lines 5-10) by the user of the second control (Fig. 1, item 18) is configured to identify a media content item selection (Fig. 2, item 46); and a display (Fig. 1, item 14, column 5, lines 13-18 and in Fig. 2) for displaying one of the media source (Fig. 2, item 46), mode (Fig. 2, item 47-49, 51) and media content item (Fig. 2, item 44).

The applicant disagrees.

In claim 19, what is selected by the first control and the two degrees of freedom of the second control, respectively, is stated quite clearly. The first control and the second control are configured to "select a media source" by the first control, "choose a mode from a set of modes for the selected media source" by a first degree of the second control, and "identify a media content item selection" by a second degree of the second control.

For example, in one implementation described in the application, the first control (knob 20-1 in Fig. 6) is operated to select a source from a "sequence of sources," (e.g., satellite radio, compact disk, hard disk ...), the second control (knob 20-2 in Fig. 6) is pressed (first degree of freedom) to select a mode from "among the mode alternatives defined for whatever source the user selected by the user's [operation] of the first knob 20-1," (e.g., for satellite radio source: station, artist, song, genre/category ... modes; for compact disk source: genre, artist, song ... modes.) and the second control is further rotated (second degree of freedom) to "select a desired media content item [based] on the mode selected" (e.g., for artist mode: Alice Cooper, Alicia

Keys, America, Beatles ...; for song mode: Octopus' Garden.) (page 21, line 23, to page 23, line 8 and page 28, lines 4-19)

In contrast, Levin describes the operation of the device 10 (Fig. 1) using the control knobs 18 only in general terms, for example, manipulation of "multiple degrees of freedom" of "*one* or more control knobs 18" (emphasis added) (abstract, col 6, lines 48-51 and col 20, lines 42-46) or selection of "additional settings or functions of the device 10" by "*the* knob 18." (emphasis added) (col 5, lines 66-67, and col 6, line 4 to col 6, line 65, for example). The cited portions of Levin do not describe or make obvious any clear relationship between either of the two control knobs 18 in Fig. 1, let alone whether the knobs 18 operate in the manner of the first control and the second control of claim 19. Accordingly, nothing in Levin describes or would have made obvious "a first control configured to select a media source ...[and] ... a second control ... [having] ... two degrees of freedom ... configured to choose a mode from a set of modes for the selected media source in response to an actuation of the first degree of freedom ... [and] ... to identify a media content item selection [in response to an] actuation of the second degree of freedom."

As for independent claim 39, LEVIN teaches of a system (Fig. 1, item 10) for accepting user input, comprising: at least one switch (see column 5, lines 13-18 where it is stated that the display can include a touch sensitive surface, in which case this will constitute as a switch); a display (Fig. 1, item 14), wherein the display (Fig. 1, item 14) depicts menu options (Fig. 1, item 20, 22, 24 and in Fig. 2) including: media content information (Fig. 1, item 20 and in Fig. 2); control options (Fig. 1, item 22 and in Fig. 2), wherein the control options (Fig. 1, item 22 and in Fig. 2) are displayed on the display (Fig. 1, item 14) near the switch a pressure member (column 5, lines 13-18) disposed over the display (Fig. 1, item 14), the pressure member (column 5, lines 13-18) being configured to accept a force exerted by a user within a section of the pressure member (column 5, lines 13-18); the pressure member (column 5, lines 13-18) further coupled to the at least one switch (column 5, lines 13-18) such that a resulting force transmitted by the pressure member in response to a user applied force causes a switch actuation (column 5, lines 13-18); and at least one control (Fig. 1, item 18), which has two degrees of freedom (push and rotate, column 8, lines 5-10; column 6, lines 53-58; column 6, lines 63-65) in actuation, configured to accept one of a push and turn at least one control (Fig. 1, item 8) being able to select one of the menu options (Fig. 1, items displayed on item 14 or in Fig. 2).

LEVIN fails to teach that a portion of the display is visible through the pressure member.

JAEGGER teaches that a portion of the display (Fig. 34, item 232) is visible through the pressure member (Fig. 34, item 231) in column 20, lines 63-65.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to have at least a portion of the display be visible through the pressure member as taught by JAEGER with the display of LEVIN in order for users to display the desired image at the area of the display that is directly behind the switch (see JAEGER; column 20, lines 9-13).

As for claim independent 45, in addition to the claim limitations as rejected above in claim 39; LEVIN fails to teach that at least a portion of the control is optically transparent such that at least a portion of the display is visible through the at least one control.

JAEGER teaches that at least a portion of the control (Fig. 34, item 231) is optically transparent such that at least a portion of the display is (Fig. 34, item 232) visible through the at least one control in column 20, lines 63-65.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to have at least a portion of the display be visible through the pressure member as taught by JAEGER with the display of LEVIN in order for users to display the desired image at the area of the display that is directly behind the switch (see JAEGER; column 20, lines 9-13).

Claim 39 has been amended.

Independent claims 39 and 45 recite that the at least one control having "at least a portion ... optically transparent such that at least a portion of the display is visible through the at least one control" has "*two degrees of freedom in actuation.*" (emphasis added)

The cited portions of Jaeger describe a "transparent switch button 231" having *one degree* of freedom in actuation -- either "depressed" condition or "undepressed" condition. (emphasis added) (Fig. 24, col 20, lines 63-66, col 20, lines 48-49, and col 20, lines 53-54). Accordingly, neither Levin or Jaeger, alone or in combination, describe or would have made obvious that the at least one control having "at least a portion ... optically transparent such that at least a portion of the display is visible through the at least one control" has "two degrees of freedom in actuation."

As for claim independent 46, in addition to the claim limitations as rejected above in claim 39; LEVIN teaches of two controls (Fig. 1, item 18), wherein each of the two controls (Fig. 1, item 18) is located to one side of the display (Fig. 1, item 14) and wherein the controls (Fig. 1, item 18) have two degrees of freedom in actuation (push and rotate, column 8, lines 5-10).

Claim 46 has been amended. For at least the same reason as independent claim 19, neither Levin or Jaeger, alone or in combination, describe or would have made obvious "a first control configured to select a media source ... [and] ... a second control ... [having] ... two

degrees of freedom ... configured to choose a mode from a set of modes for the selected media source in response to an actuation of the first degree of freedom ... [and] ... to identify a media content item selection [in response to an] actuation of the second degree of freedom."

All of the dependent claims are patentable for at least the reasons for which the claims on which they depend are patentable.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Please apply any other charges or credits to deposit account 06-1050, order 02103-551001.

Date: 8/28/7

Respectfully submitted,



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